



PATENT  
Attorney Docket No. HIRA1180

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Takemi Aonuma  
Application No.: 09/889,263  
Filing Date: October 16, 2001  
Title: MICROORGANISMS OF NOVEL SPECIES AND METHODS FOR  
USING THE SAME

Art Unit: 1651  
Examiner: Unassigned

MAIL STOP DD  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RECEIVED

MAY 21 2003

TECH CENTER 1000/2800

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. § 1.97, enclosed are references relating to the above-identified application. Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. For the convenience of the Examiner, these references are listed on the attached Form PTO-1449 and copies are enclosed herewith.

It is respectfully requested that these references be considered in the examination of this application and their consideration be made of written record in the application file.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on May 14, 2003, in an envelope addressed to: MAIL STOP DD, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Karen LcPari*

Karen LcPari


In re Application of:  
Takemi Aonuma  
Application No.: 09/889,263  
Filed: October 16, 2001  
Page 2

PATENT  
Atty Docket No.: HIRA1180

No fee is deemed necessary in connection with the filing of this Information Disclosure Statement as the items of information contained in this statement were cited in a communication from a foreign patent office in a counterpart foreign application, the communication being dated April 2, 2003, which is not more than three months prior to the filing of this statement. However, if any fee is required, authorization is hereby given to charge the amount of any such fee, or credit any overpayment, to Deposit Account No. 50-1355.

Respectfully submitted,

Date: May 14, 2003

  
\_\_\_\_\_  
Kelly K. Reynolds, J.D.  
Registration No. 51,154  
Telephone: (858) 638-6724  
Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP  
4365 Executive Drive, Suite 1100  
San Diego, California 92121-2133  
USPTO Customer No. 28213

<b>FORM PTO-1449</b> U.S. Department of Commerce Patent and Trademark Office MAY 19 2003	<b>Docket No.</b> HIRA1180	<b>Serial No.:</b> 09/889,263
	<b>Applicant:</b> Takemi Aonuma	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>	<b>Filing Date:</b> October 16, 2001	<b>Group A Unit:</b> 100

### U.S. PATENT DOCUMENTS

EXAM. INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA	5,531,898	07/02/1996	Daniel E. Wickham			

### FOREIGN PATENT DOCUMENTS

EXAM. INITIALS		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION (YES/NO)
	AB	EP 0 287 699A	11/26/1988	EP			NO
	AC	WO 96/39840	12/19/1996	PCT			NO
	AD	WO 98/50422	11/12/1998	PCT			NO

### OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages)

	AE	Shojiro, Horiguchi, <i>Patent Abstracts of Japan</i> , Vol. 015, No. 189, May 1991.
	AF	Hoffmann, T. et al., "The anaerobic life of <i>Bacillus subtilis</i> : Cloning of the genes encoding the respiratory nitrate reductase system" <i>FEMS Microbiology Letters</i> , Vol. 131, No. 2, 219-225, 1995.
	AG	Takenori, Okudaira, <i>Patent Abstracts of Japan</i> , Vol. 1997, No. 5, May 1997.
	AH	RU 2122026-C, "Volg Anti-Plague Res Inst", November 20, 1998.
	AI	Bashan, Y., "Inoculants of plant growth-promoting bacteria for use in agriculture", <i>Biotechnol. Adv.</i> , Vol. 16, No. 4, 729-770, 1998.

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.